

IN RE: PETITION FOR ADMIN. VARIANCE

N/S of Othoridge Road, 600' SE
centerline of Westbury Road
9th Election District
4th Councilmanic District
(112 Othoridge Road)

Mindie A. & George T. Warner
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-375-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Mindie and George Warner. The variance request is for property located at 112 Othoridge Road in the Lutherville area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 5 ft. side yard setback in lieu of the required 10 ft. setback for an addition in a D.R.5.5. zone. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

DATE RECEIVED FOR FILING

Date

4/10/02

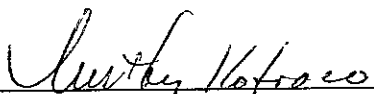
By

R. J. J. J.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of April, 2002, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 5 ft. side yard setback in lieu of the required 10 ft. setback for an addition in a D.R.5.5. zone, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

APR 10 2002
4/10/02
R. J. Jenson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 10, 2002

Mr. & Mrs. George T. Warner
112 Othoridge Road
Lutherville, Maryland 21093

Re: Petition for Administrative Variance
Case No. 02-375-A
Property: 112 Othoridge Road

Dear Mr. & Mrs. Warner:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 112 Othoridge Rd
which is presently zoned DR. S. S.

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1307.301 to Permit A 5 FT.

SIDE YARD SETBACK IN LIEU OF THE REQUIRED 10 FT IN ADR S.S. ZONE

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

George T. Warner
Name - Type or Print

George T. Warner
Signature

Mindie A. Warner
Name - Type or Print

Mindie A. Warner
Signature

112 Othoridge Road 410-583-6836
Address Telephone No.

Lutherville Md 21093
City State Zip Code

Representative to be Contacted:

Russell McEvoy
Name

1821 Clearwood Rd 6613861
Address Telephone No.

Balt. md. 21234
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 03 day of 08, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02-375-A

Reviewed By SPD Date 03-08-02

REV 10/25/01

Estimated Posting Date 03-17-02

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

112 Othoridge Road
Address
Lutherville Md 21093
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

- We intend on having another child and need more space
- There is no room to eat in the kitchen and only 6 people can sit in the dining room area comfortably at a time - we have a large extended family
- It would not be financially advantageous to move as we would not be able to find a house in our area that is bigger for a mortgage amount we can afford
- We have put many improvements into our home that we would not get dollar value back if we did sell it.
- Due to lay out of house it is not feasible to put eat in area on back, there is an internal elevation of room in dining room & kitchen area.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

George T. Warner
Signature

George T. Warner
Name - Type or Print

Mindie A. Warner
Signature

Mindie A. Warner
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of MARCH, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

George T. Warner & Mindie A. Warner
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

James A. Momo
Notary Public

My Commission Expires 1/1/2004

ZONING DESCRIPTION FOR 112 OTHORIDGE ROAD

Beginning at a point on the north side of Othoridge Rd. which is 60' wide at the distance of 600' southeast of the centerline of the nearest improved intersecting street, Westbury Rd., which is 50' wide. Being Lot #9, Section #3 in the subdivision of Orchard Hills as recorded in Baltimore County Plat Book #20, Folio #140, containing 8,721.18 sq. ft. Also Known as 112 Othoridge Road and located in the 9th Election District, 4th Councilmanic District.

02-375-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

02-375-A.
No. 11127

DATE 03-08-02 ACCOUNT RCCO.COG.GISO
AMOUNT \$ 50.00

RECEIVED
FROM:

McCoy Family Builders

FOR:

Res VAD (Amlw) 50.00
TOTAL 50.00

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

5007

PAID RECEIPT

PAYMENT ACTUAL TIME
3/08/2002 3/08/2002 11:44:47

REG 4502 CASHIER JENA JEE DRAWER 2
>> RECEIPT # 193046
Dept 5 528 ZONING VERIFICATION
CR NO. 011127

Receipt Tot 50.00
50.00 OK .00 DA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-375-A

Petitioner/Developer: _____

GEORGE & MINDY WARNER

Date of Hearing/Closing: 4/1/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

MR. GEORGE ~~SAHNER~~
Attention: ~~Ms. Gwendolyn Stephens~~

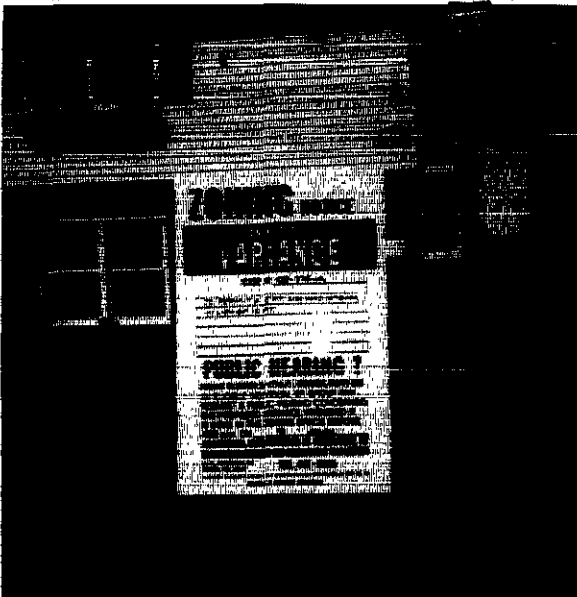
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

112 OTHORIDGE RD

The sign(s) were posted on 3/17/02
(Month, Day, Year)

CASE # 02-375-A



Sincerely,

Richard E. Hoffman 3/17/02
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

112 OTHORIDGE RD.

POSTED 3/17/02

Richard E. Hoffman 3/17/02

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number 02-375-A
Petitioner George & Mindy Warner
Address or Location 112 Othoridge Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name Russell McEvoy
Address 1821 Clearwood Rd.
Balt. Md. 21234
Telephone Number 410 661 3861

02-375-A.

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 375 -A

Address 112 ORTHORIDGE DR

Contact Person: JOHN R ALEXANDER

Phone Number: 410-887-3391

Planner, Please Print Your Name

Filing Date: 03-08-02

Posting Date: 03-17-02

Closing Date: 04-01-02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 02- 375 -A

Address 112 ORTHORIDGE DR

Petitioner's Name GEORGE HUNTER WARRICK

Telephone 410-583-6836
410-661-3861

Posting Date: 03-17-02

Closing Date: 04-01-02

Wording for Sign: To Permit A 5 FT SIDE YARD SETBACK W/ VIEW OF 10 FT

ZONING REVIEW

APPROVED SIGN POSTERS

Staff Sergeant Robert A. Black
1508 Leslie Road
Dundalk, MD 21222

Telephone: 410-282-7940
Cell: 410-499-7940
Pager: 410-373-9662
Work: 410-288-3284

Bruce E. Doak
Gerhold, Cross & Etzel, Ltd.
Suite 100, 320 E. Towsontown Boulevard
Towson, MD 21286

Telephone: 410-823-4470
Fax: 410-823-4473

Stacy Gardner
Shannon-Baum Signs, Inc.
105 Competitive Goals Drive
Eldersburg, MD 21784

Telephone: 410-781-4000
Toll Free: 800-368-2295
Fax: 410-781-4673

Thomas J. Hoff
406 W. Pennsylvania Avenue
Towson, MD 21204

Telephone: 410-296-3668
Fax: 410-296-5326

Richard Hoffman
904 Deltwood Drive
Fallston, MD 21047

Telephone: 410-879-3122

Linda M. Jones
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, MD 21286

Telephone: 410-296-3333
Fax: 410-296-4705

Garland E. Moore
3225 Ryerson Circle
Baltimore, MD 21227

Telephone: 410-242-4263
Mobile: 410-382-4470

Patrick M. O'Keefe, Sr.
523 Penny Lane
Hunt Valley, MD 21030

Telephone: 410-666-5366
Cell: 410-905-8571
Fax: 410-628-2574
410-882-2469

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR/SCJ – Revised 4/6/01



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 1, 2002

Mr. & Mrs. George T Warner
112 Othoridge Road
Lutherville MD 21093

Dear Mr. & Mrs. Warner:

RE: Case Number: 02-375-A, 112 Othoridge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 08, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr. G72
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Russell McEvoy, 1821 Clearwood Road, Baltimore 21234
People's Counsel


Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: April 17, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for *March 25, 2002*
Item Nos. 360, 361, 362, 363, 364, 365,
366, 367, 368, 369, 370, 371, 372, 373,
375, 376 and 377

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:cab

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

March 18, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 18, 2002

Item No.: 360-366, 368, 370-377

Dear Ms. Zahner:

375

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *TBS/TGT*
DATE: April 16, 2002

Zoning Advisory Committee Meeting of March 18, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

360, 361, 362, 365, 366, 367, 369, 370, 371, 372, 373, 375, 377

Waiting on AG Comments for #364, 368

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS KBT*

DATE: April 25, 2002

Zoning Advisory Committee Meeting of March 18, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

360, 361, 362, 365, 366, 367, 369, 370, 371, 372, 373, 375, 377

No AG Comments for #364, 368

4/11 mv

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

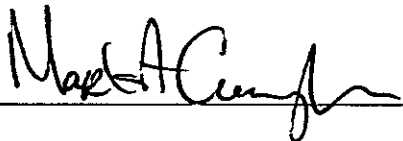
DATE: April 10, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning


SUBJECT: Zoning Advisory Petition(s): Case(s) 02-372, 02-375, 02-385, 02-386, & 02-397

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/LL:MAC

APR 10



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.19.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 375

JZA

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Mr. John O'Brien
110 Othoridge Road
Lutherville, Md 21093

To whom it may concern:

I am the immediate next door neighbor to George and Mindie Warner who reside at 112 Othoridge Road. This letter is to state my approval for the addition to be added to their home on the side of the house closest to mine. I cannot find any reason to deny their request as it will not impede on my property lines.

Sincerely,

John O'Brien
John O'Brien

02-375-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 112 Othoridge Rd.

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Orchard Hills

PLAT BOOK # 20 FOLIO # 140 LOT # 9 SECTION # 9

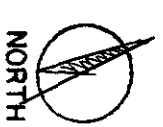
OWNER George and Mindy Warner

*Robert & Linda
Under 502 002 500
0903*

*George & Mindy
Warner
0912 203300*

Easement

*Shon O'brien
0902 207100*



600' to center of Westbury Rd

25' Set Back

Lot 8

Existing Dwelling #114

Existing Dwelling #112

Proposed 10' x 20' Addition

Existing Dwelling #110

Lot 10

Othoridge Rd.
60' R/W

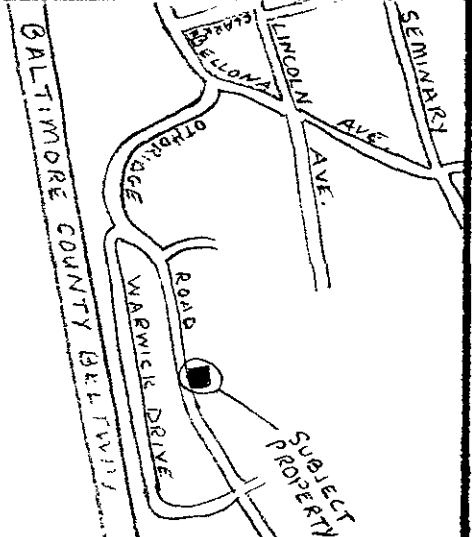
78'

PREPARED BY _____

SCALE OF DRAWING: 1" = _____



VICINITY MAP
SCALE: 1" = 1000'



LOCATION INFORMATION

ELECTION DISTRICT 9th

COUNCILMANIC DISTRICT 4th

1" = 200' SCALE MAP # NW 114

ZONING DR 5.5

LOT SIZE .20 8721.18 SQUARE FEET

ACREAGE

PUBLIC PRIVATE

SEWER

WATER

CHESAPEAKE BAY CRITICAL AREA

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY/ BUILDING

PRIOR ZONING HEARING

YES NO

☐ ☒ ☐ ☒ ☐ ☒ ☐ ☒

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

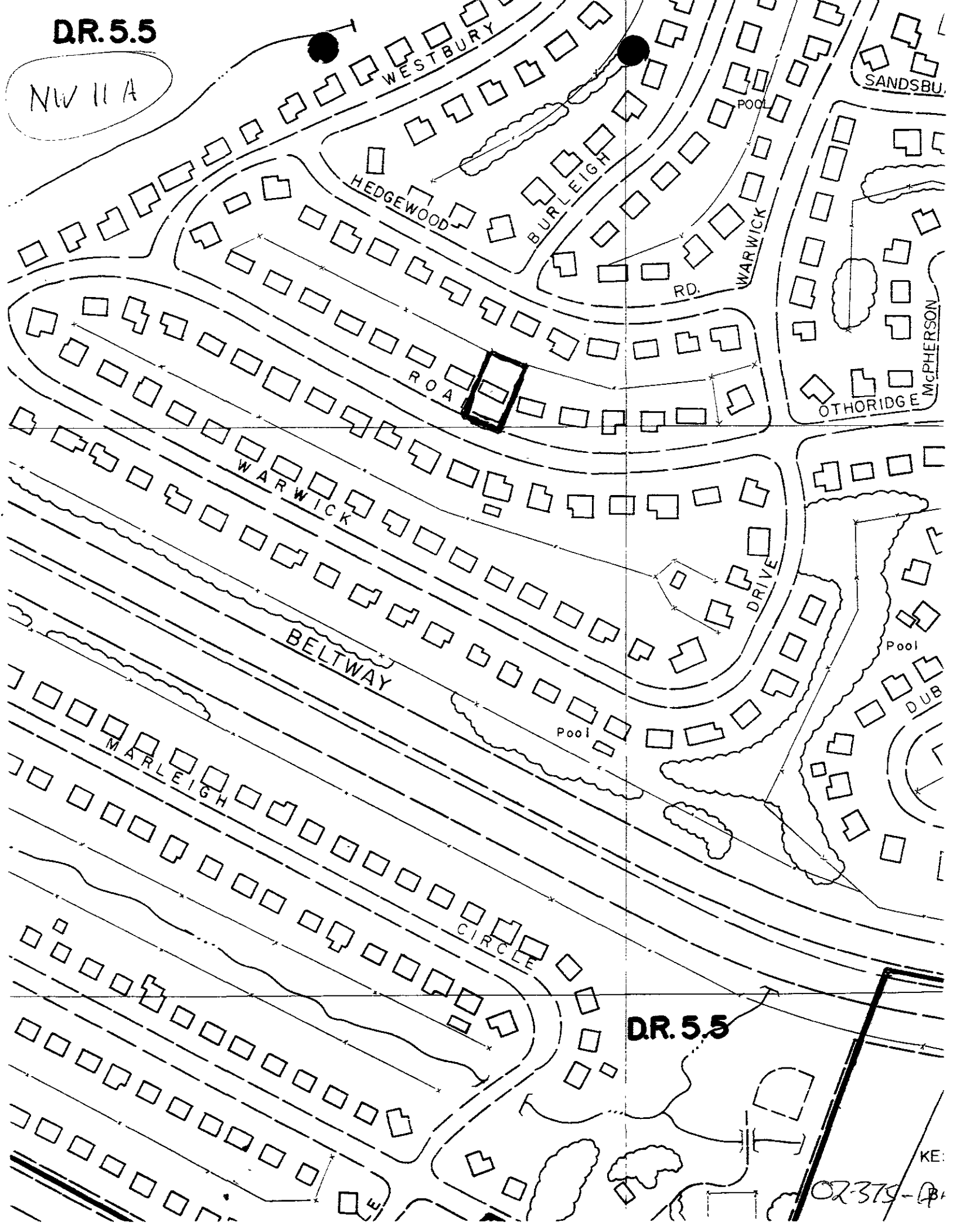
SDP

0237519

Ret. Ex. #1

DR. 5.5

NW 11 A



DR. 5.5

02-375-01

KE:

